

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DMITRI ALI DAVIS,)
)
Petitioner,)
)
vs.) Case No. CIV-09-517-M
)
OKLAHOMA COUNTY,)
)
Respondent.)

ORDER

On August 31, 2009, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that the petition be dismissed without prejudice for lack of jurisdiction as a second or successive petition filed without prior authorization from the Tenth Circuit Court of Appeals. Petitioner was advised of his right to object to the Report and Recommendation by September 21, 2009. On September 21, 2009, petitioner filed his objection, asserting that his “conviction targets a group of people and has a negative effect on anyone convicted of such an offence (sic) ”.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on August 31, 2009; and
- (2) DISMISSES the petition for writ of habeas corpus without prejudice for lack of jurisdiction.

IT IS SO ORDERED this 16th day of December, 2009.



VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE